

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

GARY SUOJA, Individually and as Special)	
Administrator of the Estate of OSWALD)	
SUOJA, Deceased,)	
)	
Plaintiff,)	Case No. 99-cv-475-bbc
)	
v.)	
)	
Owens-Illinois, Inc.,)	
)	
Defendant.)	

Motion to Correct Responses to Objections to Exhibits

Pursuant to Fed. R. Civ. P. 7(b), Plaintiff moves this Court to permit Plaintiff to file a corrected version of a table that appeared in Plaintiff's post-trial reply brief. Plaintiff filed his post-trial reply brief on May 6, 2016. (ECF#209.) The final post-trial reply brief was a merger of several different sections. Plaintiff discovered after filing of his post-trial reply brief that an earlier draft of the table in section III.D., on pages 85-91 of his post-trial reply brief, was mistakenly included instead of the final version of the table. The table contains responses to OI's objections to Plaintiff's exhibits. This request for the correction is made in regards to post-trial briefing where the Court in a bench trial considers all evidence in the record.

The corrected table relies only on the existing record in making responses to certain exhibits that had not been part of the earlier draft. The corrected table withdraws five more contested exhibits: Exhibits 59, 210, 220, 227, and 232. The corrected table incorporates the changes requested by the Quality Control team of this Court as it cites directly to deposition

transcripts which have been filed with the Court as separate docket entries after the original filing.

Plaintiff has attached a corrected copy of the section III.D. table to this motion.

Relief Requested

This Court should allow Plaintiff to file the corrected III.D. table, which is attached to this motion.

Dated: May 10, 2016

/s/ Robert G. McCoy
Attorney for Plaintiff

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Certificate of Service

I hereby certify that on May 10, 2016, I caused the forgoing to be electronically filed with the United States District Court for the Western District of Wisconsin using the CM/ECF system which will automatically send all necessary notifications of this filing to CM/ECF participants in this case.

Dated: May 10, 2016

/s/ Robert G. McCoy
Attorney for Plaintiff

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